IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

B.S. INGERSOLL, LLC,

A PENNSYLVANÍA LIMITED LIABILITY COMPANY,

Plaintiff,

: Civ No. 2;22-cy-00771

:

GREAT AMERICAN INSURANCE COMPANY, AN OHIO CORPORATION,

v.

:

Defendant.

DEFENDANT GREAT AMERICAN INSURANCE COMPANY'S RULE 12(B)(6) MOTION TO DISMISS

Defendant Great American Insurance Company, by its undersigned attorneys, in accordance with Rule 12(b)(6) of the Federal Rules of Civil Procedure moves to dismiss the Complaint of Plaintiff B.S. Ingersoll, LLC for failure to bring suit within the suit limitation period in the bond that is the subject matter of the Complaint. In support of this Motion, Great American Insurance Company submits the accompanying Brief.

Respectfully submitted,

GREAT AMERICAN INSURANCE COMPANY

/s/ T. Scott Leo

T. Scott Leo (admitted pro hac vice)
The Law Offices of T. Scott Leo, P.C.
100 North LaSalle Street, Suite 514
Chicago, IL 60602
(312)857-0910
sleo@leolawpc.com

and

/s/ Amy E. Bentz

Amy E. Bentz PA Bar I.D. 52691

BENTZ LAW FIRM, P.C. The Washington Center Building 680 Washington Road, Suite 200 Pittsburgh, PA 15228 Tel: (412) 563-4500 Fax: (412) 563-4480

aebentz@bentzlaw.com

Dated: May 25, 2022

Counsel for Defendant, Great American Insurance Company